

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ALPHA PHI ALPHA FRATERNITY INC., a nonprofit organization on behalf of members residing in Georgia; SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, a Georgia nonprofit organization; ERIC T. WOODS; KATIE BAILEY GLENN; PHIL BROWN; JANICE STEWART,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, in his official capacity as Secretary of State of Georgia.

Defendant.

Case No. 1:21-CV-05337-SCJ

PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

EXPEDITED TREATMENT REQUESTED

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs ALPHA PHI ALPHA FRATERNITY, INC., SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, ERIC T. WOODS, KATIE BAILEY GLENN, PHIL BROWN, and JANICE STEWART (collectively,

“Plaintiffs”), respectfully move the Court for an Order enjoining Defendant Georgia Secretary of State BRAD RAFFENSPERGER from holding elections under Georgia Senate Bill 1EX and Georgia House Bill 1EX (collectively, the “2021 Senate and House Plans”), redistricting plans that were adopted during the 2021 Georgia legislative session, and to require instead that future elections be conducted under redistricting plans that do not abridge or dilute the ability of Black voters to elect candidates of their choice.

For the reasons set forth in detail in Plaintiffs’ accompanying Memorandum in Support of Plaintiffs’ Motion for Preliminary Injunction, Plaintiffs have established that they are likely to succeed on the merits of their claim that the newly adopted districting schemes unlawfully dilute the voting strength of Black Georgians in violation of Section 2 of the Voting Rights Act. Further, holding elections using the 2021 Senate and House Plans would irreparably harm Plaintiffs and other Black voters across the State; this harm outweighs any harm Defendant would suffer were the Court to order the relief sought by Plaintiffs; the balance of hardships weighs in Plaintiffs’ favor; and a preliminary injunction is in the public interest.

Plaintiffs respectfully request that the Court expedite consideration of this motion in light of the following upcoming 2022 election-related deadlines: Candidate qualifying begins March 7 and ends March 11, 2022; the special election

date is March 15, 2022; the special election runoff date is April 12, 2022; the general primary election is May 24, 2022; the general primary runoff is on June 21, 2022; and the general election is on November 8, 2022.

Dated: January 7, 2022.

Respectfully submitted,

/s/ Sean J. Young

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Times New Roman and a point size of 14.

/s/ Rahul Garabadu _____

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served the foregoing ***Plaintiffs' Motion for a Preliminary Injunction*** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all counsel or parties of record on the service list:

This 7th day of January, 2022.

/s/ Rahul Garabadu _____